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LEGISLATIVE HISTORY

Public Law 87-152
S. 614

TABLE OF CONTENTS

| | |
|---------------------------------------|---|
| Index and summary of S. 614 | 1 |
| Digest of Public Law 87-152 | 2 |

INDEX AND SUMMARY OF S. 614

- Jan. 26, 1961 Sen. Young, N. Dak., introduced S. 614 which was referred to the Senate Agriculture and Forestry Committee. Print of bill as introduced.
- Feb. 16, 1961 Rep. Reuss introduced H. J. Res. 232 which was referred to the House Banking and Currency Committee. Print of resolution as introduced.
- June 20, 1961 Senate committee reported S. 614 with amendments. S. Report No. 435. Print of bill and report.
- June 22, 1961 Senate passed S. 614 as reported.
- June 26, 1961 S. 614 was referred to the House Banking and Currency Committee. Print of bill as referred.
- July 20, 1961 House committee reported S. 614 without amendment. H. Report No. 746. Print of bill and report.
- Aug. 7, 1961 House passed S. 614 without amendment.
- Aug. 17, 1961 Approved: Public Law 87-152.

87TH CONGRESS
1ST SESSION

S. 614

IN THE SENATE OF THE UNITED STATES

JANUARY 26, 1961

Mr. YOUNG of North Dakota introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds and other wildlife, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That for the purpose of meeting emergency situations caused
4 by adverse weather conditions or other factors destructive
5 of important wildlife resources, the States are hereby au-
6 thorized, upon a finding by the Secretary of the Interior
7 that any area of the United States is threatened with serious
8 damage or loss to resident game birds and other wildlife
9 from starvation, to requisition from the Commodity Credit
10 Corporation grain acquired by the Corporation through price

1 support operations. Such grain may thereafter be furnished
2 to the particular State for direct and sole utilization by the
3 appropriate State agencies for purposes of this Act in such
4 quantities as mutually agreed upon by the State and the
5 Commodity Credit Corporation and subject to such
6 regulations as may be considered desirable by the Corpora-
7 tion. The Corporation shall be reimbursed by the particular
8 State in each instance for the expense of the Corporation in
9 packaging and transporting such grain for purposes of this
10 Act.

11 SEC. 2. There are hereby authorized to be appropriated
12 such sums as may be necessary to reimburse the Commodity
13 Credit Corporation for its investment in grain transferred
14 pursuant to this Act.

A BILL

To authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds and other wildlife, and for other purposes.

By Mr. Young of North Dakota

JANUARY 26, 1961

Read twice and referred to the Committee on Agriculture and Forestry

87TH CONGRESS
1ST SESSION

H. J. RES. 232

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 1961

Mr. REUSS introduced the following joint resolution; which was referred to the Committee on Banking and Currency

JOINT RESOLUTION

To authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds and other wildlife, and for other purposes.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That for the purpose of meeting emergency situations caused
4 by adverse weather conditions or other factors destructive
5 of important wildlife resources, the States are hereby au-
6 thorized, upon a finding by the Secretary of the Interior
7 that any area of the United States is threatened with serious
8 damage or loss to resident game birds and other wildlife
9 from starvation, to requisition from the Commodity Credit
10 Corporation grain acquired by the Corporation through price

1 support operations. Such grain may thereafter be furnished
2 to the particular State for direct and sole utilization by the
3 appropriate State agencies for purposes of this Act in such
4 quantities as mutually agreed upon by the State and the
5 Commodity Credit Corporation and subject to such
6 regulations as may be considered desirable by the Corpora-
7 tion. The Corporation shall be reimbursed by the particular
8 State in each instance for the expense of the Corporation in
9 packaging and transporting such grain for purposes of this
10 Act.

11 SEC. 2. There are hereby authorized to be appropriated
12 such sums as may be necessary to reimburse the Commodity
13 Credit Corporation for its investment in grain transferred
14 pursuant to this Act.

JOINT RESOLUTION

To authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds and other wildlife, and for other purposes.

By Mr. REUSS

FEBRUARY 16, 1961

Referred to the Committee on Banking and Currency

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE
(For Department
Staff Only)

CONTENTS

Issued June 21, 1961
For actions of June 20, 1961
87th-1st, No. 103

| | |
|----------------------------------|-----------|
| Agricultural appropriations..... | 1, 34 |
| Appropriations..... | 1, 6, 34 |
| Contracts..... | 32 |
| Daylight time..... | 27 |
| Disaster relief..... | 28 |
| Farm loans..... | 3, 14 |
| Farm program..... | 3, 18, 20 |
| Fish farming..... | 24 |
| Foreign aid..... | 9 |
| Foreign trade..... | 10 |
| Forestry..... | 5, 21, 31 |
| Grain..... | 4 |
| Hay..... | 3, 33 |
| Highways..... | 16, 35 |
| Housing..... | 13, 14 |
| Interest rates..... | 29 |
| Lands..... | 5 |
| Loans..... | 8, 14, 29 |
| Milk..... | 2 |
| Peace Corps..... | 17, 30 |
| Personnel..... | 7 |
| Property..... | 15 |
| Reclamation..... | 23, 25 |
| Research..... | 21 |
| Retirement..... | 7 |
| Roads..... | 16, 35 |
| Soil bank..... | 3, 28, 33 |
| Soybeans..... | 22 |
| Special milk..... | 2 |
| Sugar..... | 26 |
| Timber..... | 31 |
| Water rights..... | 12 |
| Wheat..... | 8 |
| Wildlife..... | 4 |
| Wilderness..... | 19 |
| Youth Conservation..... | 11 |

HIGHLIGHTS: Senate passed agricultural appropriation bill. Senate committee reported bills to: Increase and expand special milk program; permit harvesting of hay on conservation reserve acreage. House Rules Committee cleared housing bill. Rep. Berry criticized farm bill. Senate committee voted to report 30-year retirement bill.

SENATE

1. AGRICULTURAL APPROPRIATION BILL, 1962. Passed with amendments this bill, H. R. 7444 (pp. 9990-2, 10023-40). Conferees were appointed (p. 10040).
Agreed to the committee amendments en bloc, and the bill as amended was considered as original text for purposes of amendment. pp. 9990-1
Agreed to an amendment by Sen. Russell to increase the item for marketing research, AMS, by \$75,000 for market facilities planning at Boston, Mass. p. 10038
By a vote of 26 to 64, rejected an amendment by Sen. Douglas, for himself and Sen. Williams, Del., to reduce the advance authorization for the 1962 Agricultural Conservation Program from \$250 million to \$150 million. pp. 10029-38
2. SPECIAL MILK PROGRAM. The Agriculture and Forestry Committee reported without amendment S. 146, to provide for use of not to exceed \$105,000,000 of CCC funds for the special milk program in the fiscal year 1962 (S. Rept. 437). P. 9966

Sen. Humphrey commended the special milk program and inserted statistics received from this Department on the program relating to the number of outlets participating in July and Aug. 1960 and the amount of milk consumed during these months. He also urged the Secretary "to use the farmer cooperatives and their facilities to the maximum extent practicable consistent with the accomplishment of the objectives of the programs and policies that are outlined in the so-called agricultural programs." pp. 10051-2

3. SOIL BANK; HAY. The Agriculture and Forestry Committee reported without amendment S. 2113, to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions (S. Rept. 436). p. 9966
4. SURPLUS GRAIN; WILDLIFE. The Agriculture and Forestry Committee reported with amendment S. 614, to authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds and other wildlife (S. Rept. 435). p. 9966
5. PUBLIC LANDS. The Interior and Insular Affairs Committee reported without amendment H. R. 6422, to authorize an exchange of public lands (including Forest Service land) at the Cedar Breaks National Monument, Utah (S. Rept. 434). p. 9966
6. FOURTH SUPPLEMENTAL APPROPRIATION BILL, 1961. The Appropriations Committee reported without amendment this bill, H. R. 7712 (S. Rept. 427). p. 9966
7. PERSONNEL. The Post Office and Civil Service Committee voted to report (but did not actually report) with amendment S. 188, to permit Federal employees to retire on full annuity after 30 years service. The "Daily Digest" states that the bill was amended "to establish minimum age at 55." p. D481
The Post Office and Civil Service Committee voted to report (but did not actually report) with amendment S. 1458, to authorize the Federal Government to pay the costs of the transportation of the remains, families, and effects of Federal employees who die in service in Alaska or Hawaii. p. D481
8. FARM PROGRAM. Sen. Humphrey submitted an amendment intended to be proposed to S. 1643, the farm bill. pp. 9971-2
Sen. Pell inserted a magazine article, "Camouflage of Confusion," discussing various aspects of the farm program, particularly the size of CCC loans to wheat farmers. pp. 9988-90
9. FOREIGN AID. Sen. Javits inserted an article, "Red Bloc Spurs Aid to Neutrals -- Granted Billion in Economic Field Alone Last Year -- Trade Drive Pressed." pp. 9978-9
Sen. Muskie inserted an address by Secretary of State Rusk before the Eighth National Conference on International Economic and Social Development discussing the importance of continuing the foreign aid program. pp. 9981-3
10. FOREIGN TRADE. Sen. Ellender, and others, protested the shipment of Cuban molasses to the U. S. and urged that it be stopped. pp. 10015-6
11. YOUTH CONSERVATION. Sen. Humphrey inserted a statement by the Secretary of the Interior favoring the establishment of a Youth Conservation Corps, and a description of needed work on conservation projects and estimates of numbers of enrollees. pp. 10018-21

Calendar No. 410

87TH CONGRESS
1st Session }

SENATE }

REPORT
No. 435

EMERGENCY FEED FOR WILDLIFE

JUNE 20, 1961.—Ordered to be printed

Mr. JORDAN, from the Committee on Agriculture and Forestry,
submitted the following

R E P O R T

[To accompany S. 614]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 614), to authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds and other wildlife, and for other purposes, having considered the same, report thereon with a recommendation that it do pass with amendments.

This bill, with the committee amendments, permits the States in emergency situations to obtain grain from Commodity Credit Corporation to prevent starvation of resident game birds and other resident wildlife. Such grain would be furnished only upon (1) the request of the State fish and game authority or other State agency having similar authority, (2) a finding by the Secretary of the Interior of the threat of loss from starvation, (3) requisition by the State, and (4) agreement by the State and the Commodity Credit Corporation. The Corporation would be reimbursed for its expense in packaging and transporting the grain.

The Secretary of the Interior would similarly be authorized to obtain grain to prevent starvation of migratory birds.

The committee amendments would—

- (1) Require concurrence by the State fish and game authority, since, as indicated in the attached report from the Department of the Interior, unneeded feeding may be harmful to wildlife;
- (2) Restrict State operations under the bill to resident wildlife;
- (3) Provide the Secretary of the Interior with authority to obtain grain to prevent starvation of migratory birds; and
- (4) Amend the title so as to describe the provisions of the bill as amended more precisely.

The last three enumerated amendments were suggested by the Departments of the Interior and Agriculture. Their favorable reports are attached.

DEPARTMENTAL VIEWS

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 15, 1961.

DEAR SENATOR ELLENDER: Our attention has been called to S. 614, a bill to authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds and other wildlife, and for other purposes.

We recommend the enactment of S. 614, if amended as hereafter suggested.

This proposal would permit the States to use surplus grain to feed wildlife that is threatened by starvation. Upon a finding by the Secretary of the Interior that any area of the United States is threatened with serious damage or loss to wildlife from starvation, the particular State involved would be authorized to request from the Commodity Credit Corporation grain acquired by that Corporation through price-support operations. The State would be required to pay the cost of transportation and packaging of the grain.

We have become increasingly aware in recent years of the interest of certain State fish and game agencies and other local organizations in providing a method whereby surplus grain could be used to feed resident game birds and other wildlife that at certain times of the year may be in danger of starvation as a result of adverse weather conditions. These State agencies are particularly concerned with the welfare of resident game in time of emergencies, such as severe ice and snow conditions, or drought. They wish to provide supplemental food when natural food is considered to be in short supply.

This proposal contains a safeguard which requires the Secretary of the Interior to determine that emergency conditions exist prior to such feeding by the States. While our experience has been that there are relatively few emergency situations where local or regional game populations are in danger of starvation, authority of this kind may prove valuable in certain cases. We believe the mechanics of any grain-feeding program of this kind, once a decision has been reached that such a program is warranted, should be one for the particular State fish and game department to work out, with the assistance of the Commodity Credit Corporation, along procedural lines indicated in this proposal.

We wish to emphasize that wildlife is generally well able to fend for itself in obtaining food. At times, well-meaning sportsmen's groups and individuals put out food for wildlife in the belief that they are promoting good conservation. Actually, supplemental feeding is undesirable most of the time and should be discouraged for several reasons. Feeding tends to domesticate wild animals and to make them less wary of their natural enemies. It tends to concentrate wildlife and to expose them to diseases. Feeding may alter natural migration patterns.

There are emergencies, however, when the supplemental feeding of wildlife is justified, such as when prolonged heavy snows and ice cover natural food sources. Feeding on such occasions should be accomplished by trained personnel. We believe the emergency feeding of game birds and other resident wildlife properly should be under the supervision of State fish and game departments that are responsible for the conservation of resident wildlife species.

While the terms of this proposal do not relate to migratory waterfowl or other migratory birds, we have certain observations and recommendations for amendment to the measure relating to such wildlife species. As the Secretary of the Interior is responsible for the welfare of migratory birds, we believe that any emergency feeding of migratory waterfowl or other migratory birds should be administered by the Secretary.

We now have authority, pursuant to the act of July 3, 1956 (62 Stat. 1235; 7 U.S.C. 442-445), to use surplus federally owned grain in preventing migratory waterfowl depredations on agricultural crops; however, our authority is limited to this type of emergency. We believe our authority logically should be extended to cover other emergency situations where the migratory species are threatened with starvation. This occurred in a few localities along the Atlantic coast and elsewhere in the past winter. For these reasons, we recommend the following amendments to this bill:

(1) Amend the title to read:

"To authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds and other resident wildlife; to authorize the use of surplus grain by the Secretary of the Interior for emergency use in the feeding of migratory birds, and for other purposes."

(2) Page 1, line 8, after the word "other" insert the word "resident".

(3) Page 2, insert a new section 2 as follows, and renumber the present section 2 as section 3:

"SEC. 2. Upon a finding by the Secretary of the Interior that migratory birds are threatened with starvation in any area of the United States, the Secretary is authorized to requisition from the Commodity Credit Corporation grain acquired by that corporation through price support operations in such quantities as may be mutually agreed upon. The corporation shall be reimbursed by the Secretary for its expense in packaging and transporting of such grain for purposes of this Act."

We have been advised by the Bureau of the Budget that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

FRANK P. BRIGGS,
Assistant Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., June 9, 1961.

Hon. ALLEN J. ELLENDER,
*Chairman, Committee on Agriculture and Forestry,
U.S. Senate.*

DEAR SENATOR ELLENDER: This is in reply to your letter of January 30, 1961, requesting a report on S. 614, a bill to authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds and other wildlife, and for other purposes.

The Department recommends that the bill be passed with the request that consideration be given to amending the title to insert the words "Commodity Credit Corporation owned" between the fifth and sixth words of the title.

The resolution authorizes the States, upon a finding by the Secretary of the Interior that any area of the United States is threatened with serious damage or loss to resident game birds and other wildlife from starvation, to requisition CCC-owned grain for the feeding of such wildlife. We favor the passage of this legislation because we consider the conservation of our wildlife resources as an integral part of our national program to conserve our soil, water, and forest resources.

During the past two winters numerous requests were received by the Department from States to provide grain for the emergency feeding of resident game birds and other wildlife which was threatened by starvation because of the severe weather in certain areas of the United States. The Department was unable to honor such requests because it currently has no authority under which it may donate CCC grain for the emergency feeding of wildlife, except under Public Law 654, 84th Congress (70 Stat. 492; 7 U.S.C. 442-446), which authorizes the Secretary of the Interior to requisition CCC grain for the feeding of migratory waterfowl to prevent crop depredations.

The Department on occasion acquires small quantities of marketing quota penalty grain under provisions of Public Law 74, 77th Congress, as amended (7 U.S.C. 1340), which can be made available for emergency feeding of resident game birds and other wildlife; however, there is no assurance that such grain will be available at the location, time, and in such quantity, as may be required by the States.

Though no precise estimate can be given on the investment cost of CCC-owned grain which may be donated to carry out the purposes of this resolution, it is anticipated that in an average year it will not exceed \$150,000.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN *Secretary.*



Calendar No. 410

87TH CONGRESS
1ST SESSION

S. 614

[Report No. 435]

IN THE SENATE OF THE UNITED STATES

JANUARY 26, 1961

Mr. YOUNG of North Dakota introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

JUNE 20, 1961

Reported by Mr. JORDAN, with amendments

[Insert the part printed in italic]

A BILL

To authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds and other wildlife, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That for the purpose of meeting emergency situations caused
4 by adverse weather conditions or other factors destructive
5 of important wildlife resources, the States are hereby author-
6 ized, upon *the request of the State fish and game authority or*
7 *other State agency having similar authority and a finding by*
8 *the Secretary of the Interior that any area of the United*
9 *States is threatened with serious damage or loss to resident*
10 *game birds and other resident wildlife from starvation, to*

1 requisition from the Commodity Credit Corporation grain
2 acquired by the Corporation through price support opera-
3 tions. Such grain may thereafter be furnished to the particu-
4 lar State for direct and sole utilization by the appropriate
5 State agencies for purposes of this Act in such quantities as
6 mutually agreed upon by the State and the Commodity
7 Credit Corporation and subject to such regulations as may
8 be considered desirable by the Corporation. The Corpora-
9 tion shall be reimbursed by the particular State in each in-
10 stance for the expense of the Corporation in packaging and
11 transporting such grain for purposes of this Act.

12 *SEC. 2. Upon a finding by the Secretary of the Interior*
13 *that migratory birds are threatened with starvation in any*
14 *area of the United States, the Secretary is authorized to*
15 *requisition from the Commodity Credit Corporation grain*
16 *acquired by that Corporation through price support opera-*
17 *tions in such quantities as may be mutually agreed upon. The*
18 *Corporation shall be reimbursed by the Secretary for its ex-*
19 *pense in packaging and transporting of such grain for pur-*
20 *poses of this Act.*

21 SEC. 3. There are hereby authorized to be appropriated
22 such sums as may be necessary to reimburse the Commodity
23 Credit Corporation for its investment in grain transferred
24 pursuant to this Act.

Amend the title so as to read: "A bill to authorize the use of Commodity Credit Corporation owned surplus grain by the States for emergency use in the feeding of resident game birds and other resident wildlife; to authorize the use of such surplus grain by the Secretary of the Interior for emergency use in the feeding of migratory birds, and for other purposes."

87TH CONGRESS
1ST SESSION

S. 614

[Report No. 435]

A BILL

To authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds and other wildlife, and for other purposes.

By Mr. Young of North Dakota

JANUARY 26, 1961

Read twice and referred to the Committee on Agriculture and Forestry

JUNE 20, 1961

Reported with amendments

Digest of CONGRESSIONAL PROCEEDINGS

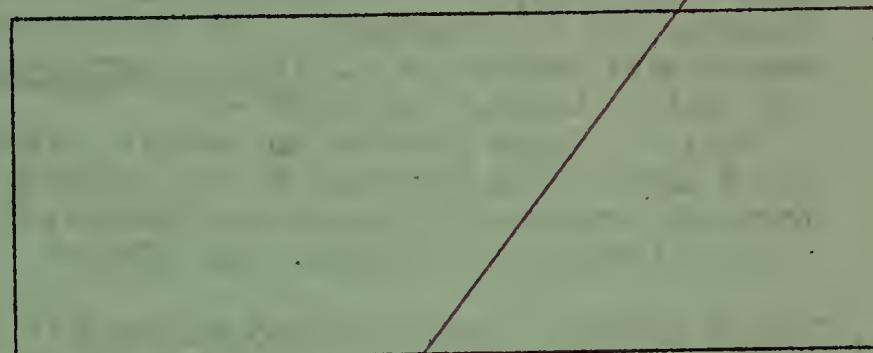
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

CONTENTS

| | |
|----------------------------|-----------|
| Adjournment..... | 8, 15 |
| Appropriations..... | 3, 11, 15 |
| Automation..... | 24 |
| Coconut oil..... | 28 |
| Conservation reserve..... | 26, 29 |
| Disaster relief..... | 29 |
| Downgrading..... | 13 |
| Educational exchanges..... | 9 |
| Experiment stations..... | 30 |
| Fairs..... | 9 |
| Farm loans..... | 10 |
| Feed grains..... | 5 |
| Foreign aid..... | 6 |
| Foreign currencies..... | 6 |
| Foreign trade..... | 18 |
| Grain..... | 1 |
| Hay..... | 29 |
| Housing..... | 10, 17 |
| Insect control..... | 26 |

Issued June 23, 1961
For actions of June 22, 1961
87th-1st, No. 105



| | | | |
|--------------------------|---------------|--------------------------|-------|
| Lands..... | 2, 19, 25, 26 | Recreation..... | 21 |
| Legislative program..... | 15 | Research..... | 30 |
| National parks..... | 21 | Roads..... | 12 |
| Patents..... | 23 | Sugar..... | 27 |
| Peace Corps..... | 20 | Surplus commodities..... | 31 |
| Personnel..... | 13 | Taxation..... | 4, 28 |
| Public Law 480..... | 9, 31 | Textile imports..... | 7, 22 |
| REA loans..... | 14 | Water pollution..... | 3 |

HIGHLIGHTS: House passed housing bill. Rep. Michel criticized "secrecy" on certain REA loan applications. Senate subcommittee approved general Government matters-Commerce appropriation bill.

SENATE

1. SURPLUS GRAIN. Passed as reported S. 614, to permit the States in emergency situations to obtain grain from CCC to prevent starvation of resident game birds and other resident wildlife. The bill includes a committee amendment to also authorize the Secretary of the Interior to obtain CCC grain to prevent starvation of migratory birds. p. 10271
2. PUBLIC LANDS. Passed without amendment H.R. 6422, to authorize an exchange of public lands (including land now a part of the Dixie National Forest) at the Cedar Breaks National Monument, Utah. This bill will now be sent to the President. pp. 10270-1
3. WATER POLLUTION. Passed with amendments H.R. 6441, to extend the authorization for grants to States and interstate agencies to assist them in meeting the costs of establishing and maintaining adequate water pollution control measures, after substituting the language of a similar bill, S. 120, as amended. Conference were appointed. pp. 10265-7, 10272-82
3. GENERAL GOVERNMENT MATTERS AND COMMERCE APPROPRIATION BILL, 1962. A subcommittee of the Appropriations Committee approved for full committee consideration this bill, H.R. 7577. p. D494

4. TAXATION. Passed without amendment H. R. 7446, to provide a 1-year extension of existing corporate normal-tax and of certain excise-tax rates. This bill will now be sent to the President. pp. 10242, 10251-2, 10259-63
5. FEED GRAINS. Both Houses received from this Department a report on the 1961 feed grains program. pp. 10240, 10363
6. FOREIGN AID. Sen. Williams, Del., submitted an amendment he intends to propose to S. 1983, the foreign aid bill, which he stated would "designate the Secretary of the Treasury to have sole responsibility for accounting and evaluation with respect to all foreign currencies or credits owed to or owned by the United States." pp. 10267-8
Sen. Fulbright inserted an article, "Handicaps of the Foreign Aid Proposal, and a letter from Secretary of the Treasury Dillon defending the President's proposal for authority to borrow funds from the Treasury over a 5-year period for the foreign aid program. pp. 10245-6
7. TEXTILE IMPORTS. Sen. Thurmond referred to a recent conference on international trade of textile products under the direction of George W. Ball, Under Secretary of State for Economic Affairs, and stated that "at this meeting, those of us in attendance learned what I had been suspecting for some time-namely, that instead of trying to decrease imports, Mr. Ball and his State Department trade "experts" are determined to increase imports, to the further detriment of the domestic textile industry and its thousands of jobs." pp. 10248-51
8. ADJOURNED until Mon., June 26. p. 10284
9. EDUCATIONAL EXCHANGES. As reported (see Digest 99) S. 1154, the proposed Mutual Educational and Cultural Exchange Act of 1961, continues authority for U. S. participation in international fairs and expositions and authorizes the President to reserve any foreign currencies acquired under Public Law 480, over such periods of time as he determines, and to use such foreign currencies within limits established by Congress, for educational and cultural exchanges. The committee report includes the following statement regarding the use of foreign currencies: "Under S. 1154, appropriations are authorized on an 'available until expended' basis, and there is reaffirmation that all sources of foreign currencies may be utilized, subject to appropriations. In addition there are provisions which could stimulate less restricted use of such funds; for example, by employing U. S.-owned currencies of one foreign country in a 'third country.'"

HOUSE

10. HOUSING; FARM LOANS. By a vote of 235 to 178, passed with amendments H. R. 6028, the omnibus housing bill. Then passed a similar bill, S. 1922, substituting the language from H. R. 6028, as amended. House conferees were appointed. pp. 10288-312, 10313-51, A4685-6. (For provisions of interest to this Department, see Digest 95.)
Agreed to amendments by Rep. Marshall to make the pay of committee members comparable with that for other work which they perform in carrying out Farmers Home Administration activities, and to prohibit committee members from having any responsibility for appraisals. pp. 10342-3
Rejected, 164 to 197, an amendment by Rep. McDonough authorizing a one-year housing program of more limited scope. pp. 10288-301
11. APPROPRIATIONS. The Appropriations Committee was granted until midnight tonight, Fri., June 23, to file a report on the defense appropriation bill. p. 10287

We suggest that this bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The bill proposes certain boundary adjustments which would exclude approximately 129 acres of land from the northwest section of the monument and add to its southeast portion approximately 111 acres.

The Cedar Breaks National Monument, situated high on the Markagunt Plateau in southwest Utah, was established by proclamation of the President on August 22, 1933, for the preservation of spectacular cliffs, canyons, and features of scenic, scientific, and educational interest. The lands proposed for addition to the monument are in Federal ownership as a part of the Dixie National Forest. We understand that their transfer for the purposes of the monument meets with the approval of the U.S. Forest Service. Their inclusion would place within the monument those relatively short sections of the rim drive which now lie outside its boundary, on national forest lands. This drive is the route by which visitors to the monument reach main points of interest on the rim of the canyon bowl. These lands would provide an adequate buffer zone between the boundary and the rim of the canyon within which grazing could be eliminated. Protection would also be afforded a spectacular alpine flower meadow and unsightly fencing could be relocated beyond the view of visitors.

The lands proposed for exclusion would become a part of the Dixie National Forest. The park values of the lands proposed for exclusion are secondary and are not required for any foreseeable use. Their exclusion will result in a more natural boundary for this section of the monument; namely, the vertical ledge which forms the rim of the canyon.

No land acquisition costs are involved in this proposal. Approximately \$8,400 would be needed for the relocation of boundary fencing.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the administration's program.

Sincerely yours,

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

THE PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 6422) was ordered to a third reading, was read the third time, and passed.

USE OF SURPLUS GRAIN FOR EMERGENCY FEEDING OF BIRDS AND WILDLIFE

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 410, Senate 614.

THE PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

THE LEGISLATIVE CLERK. A bill (S. 614) to authorize the use of surplus grain by the States for emergency use in feeding of resident game birds and other wildlife and for other purposes.

THE PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Com-

mittee on Agriculture and Forestry, with amendments, on page 1, line 6, after the word "upon", to insert "the request of the State fish and game authority or other State agency having similar authority and"; in line 10, after the word "other", to insert "resident," and on page 2, after line 11, to insert a new section, as follows:

Sec. 2. Upon a finding by the Secretary of the Interior that migratory birds are threatened with starvation in any area of the United States, the Secretary is authorized to requisition from the Commodity Credit Corporation grain acquired by that Corporation through price support operations in such quantities as may be mutually agreed upon. The Corporation shall be reimbursed by the Secretary for its expense in packaging and transporting of such grain for purposes of this Act.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of meeting emergency situations caused by adverse weather conditions or other factors destructive of important wildlife resources, the States are hereby authorized, upon the request of the State fish and game authority or other State agency having similar authority and a finding by the Secretary of the Interior that any area of the United States is threatened with serious damage or loss to resident game birds and other resident wildlife from starvation, to requisition from the Commodity Credit Corporation grain acquired by the Corporation through price support operations. Such grain may thereafter be furnished to the particular State for direct and sole utilization by the appropriate State agencies for purposes of this Act in such quantities as are mutually agreed upon by the State and the Commodity Credit Corporation and subject to such regulations as may be considered desirable by the Corporation. The Corporation shall be reimbursed by the particular State in each instance for the expense of the Corporation in packaging and transporting such grain for purposes of this Act.

Sec. 2. Upon a finding by the Secretary of the Interior that migratory birds are threatened with starvation in any area of the United States, the Secretary is authorized to requisition from the Commodity Credit Corporation grain acquired by that Corporation through price support operations in such quantities as may be mutually agreed upon. The Corporation shall be reimbursed by the Secretary for its expense in packaging and transporting of such grain for purposes of this Act.

Sec. 3. There are hereby authorized to be appropriated such sums as may be necessary to reimburse the Commodity Credit Corporation for its investment in grain transferred pursuant to this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement in regard to the purpose of the measure.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

This bill, with the committee amendments, permits the States in emergency situations to obtain grain from Commodity Credit Corporation to prevent starvation of resident game birds and other resident wildlife. Such grain would be furnished only upon (1) the request of the State fish and game authority or other State agency having similar authority, (2) a finding by the Secretary of the Interior of the threat of loss from starvation, (3) requisition by the

State, and (4) agreement by the State and the Commodity Credit Corporation. The Corporation would be reimbursed for its expense in packaging and transporting the grain.

The Secretary of the Interior would similarly be authorized to obtain grain to prevent starvation of migratory birds.

The committee amendments would—

(1) Require concurrence by the State fish and game authority, since, as indicated in the attached report from the Department of the Interior, unneeded feeding may be harmful to wildlife;

(2) Restrict State operations under the bill to resident wildlife;

(3) Provide the Secretary of the Interior with authority to obtain grain to prevent starvation of migratory birds; and

(4) Amend the title so as to describe the provisions of the bill as amended more precisely.

The last three enumerated amendments were suggested by the Departments of the Interior and Agriculture.

THE PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The bill (S. 614) was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to authorize the use of Commodity Credit Corporation owned surplus grain by the States for emergency use in the feeding of resident game birds and other resident wildlife; to authorize the use of such surplus grain by the Secretary of the Interior for emergency use in the feeding of migratory birds, and for other purposes."

ACCEPTANCE OF AGREEMENT ESTABLISHING THE CARIBBEAN ORGANIZATION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 413, House Joint Resolution 384.

THE PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

THE LEGISLATIVE CLERK. A joint resolution (H.J. Res. 384) providing for acceptance by the United States of America of the agreement for the establishment of the Caribbean Organization signed by the Governments of the Republic of France, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

THE PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the joint resolution.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement in regard to the purpose of the measure.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The main purpose of the joint resolution is to dissolve the Caribbean Commission, which is composed of France, the Nether-

lands, the United Kingdom, and the United States, and to create the Caribbean Organization, which will be composed of the Caribbean territories of the aforementioned states. This purpose is accomplished through acceptance by the United States of an agreement among the four metropolitan powers authorizing their Caribbean dependencies to participate in the Caribbean Organization.

BACKGROUND

In 1942, the United States and Great Britain established through executive action the Anglo-American Caribbean Commission, primarily to deal with wartime problems of the British and American islands in the Caribbean. In 1946, these two powers were joined by France and the Netherlands in establishing the Caribbean Commission with the broader purpose of carrying on research and technical assistance aimed at promoting regional development. U.S. participation in the Caribbean Commission was authorized by Congress in a joint resolution approved March 4, 1948.

One of the subsidiary organizations of the Caribbean Commission has been the West Indian Conference in which the dependent territories of the four powers in the Caribbean have been represented directly. The conference has met biennially, and beginning in 1952 it has repeatedly requested the four member governments of the Commission to revise the agreement so as to reflect the growth of self-government in the Caribbean since 1946. Negotiations to this end culminated in 1960 with the signing of an agreement by the four powers to create the Caribbean Organization.

PROVISIONS

The joint resolution itself contains only four operative provisions: (1) It authorizes the President to accept on behalf of the United States the agreement establishing the Caribbean Organization; (2) it authorizes the participation of Puerto Rico and the Virgin Islands in the Organization; (3) it makes available to the Organization, upon promulgation of an Executive order, the privileges, exemptions, and immunities conferred by the International Organizations Immunities Act; and (4) it authorizes the Secretary of State to appoint a U.S. observer to the Organization.

The statute of the Caribbean Organization is an integral part of the agreement among the four powers. Except for the French territories, which will continue to be represented by France, the members of the Caribbean Organization will be, not the metropolitan powers, but the territories, commonwealths, or other possessions of those powers in the Caribbean area. So far as the United States is concerned, the members will be Puerto Rico and the Virgin Islands. Other territories eligible to participate are the Netherlands Antilles, Surinam, British Guiana, the West Indies, the Bahamas, British Honduras, and the British Virgin Islands, though the last three have indicated that they do not intend to participate at this time. In addition, French Guiana, Guadeloupe, and Martinique, which are constitutionally Departments of the Republic of France, will participate and will be represented by France.

Each member of the Organization will have one delegate with one vote, except that France will have one delegation with three votes, reflecting French membership on behalf of three departments.

The Organization is to concern itself with "social, cultural, and economic matters of common interest to the Caribbean area, particularly agriculture, communications, education, fisheries, health, housing, industry, labor, music and the arts, social welfare, and trade." It may make studies and recommendations, assist in the coordination of local projects of regional significance, arrange for or provide technical guidance not other-

wise available, and, subject to certain conditions, make contracts or agreements for technical assistance with other international or national organizations. It may also establish auxiliary bodies.

Expenses of the Organization are to be met by its members—not the four powers—in proportions to be unanimously agreed to. A preliminary agreement has been reached for an annual budget of \$316,000, of which Puerto Rico would contribute \$140,000 (44.3 percent) and the Virgin Islands \$25,000 (7.98 percent). The United States currently contributes 38.4 percent of the Caribbean Commission's budget (in 1959, \$140,476 out of \$365,823).

The agreement specifically provides that nothing in it is to affect "the present or future constitutional status of the Members of the Organization." Further, any of the four powers signatory to the agreement can withdraw from the agreement at any time on 1 year's notice, and such action would automatically deprive its territories of membership in the Organization. Each of the four powers is also entitled to be represented at all meetings held under the auspices of the Organization by observers with the right to speak but not to vote. No other governments may be represented without the unanimous approval of the observers as well as a unanimous vote of the Organization. Finally, amendment of the statute of the Organization requires the unanimous approval of the members of the Organization as well as of the four powers.

It is contemplated that when the Organization comes into being, the headquarters of the Commission, which are now located in Trinidad, will be moved to Puerto Rico. It is also expected that, at this time, the President will issue an Executive order, under the terms of the joint resolution, extending to the organization the privileges, exemptions, and immunities conferred by the International Organizations Immunities Act. These are the same privileges now extended to 29 international organizations (including the Caribbean Commission). The precise nature of these privileges is spelled out in a statement submitted to the committee by the Department of State and included in the hearings. In general, the organizations themselves are given legal capacity to contract, to acquire and dispose of property, and to institute legal proceedings. Their alien employees are exempt from certain taxes as are individuals representing foreign governments in such organizations.

COMMITTEE ACTION

Congressional approval of the agreement establishing the Caribbean Organization was requested by the Secretary of State January 19, 1961, and the administration draft joint resolution was introduced by Senator FULBRIGHT, by request, on April 18 as Senate Joint Resolution 75. On May 2, the Foreign Relations Committee held a hearing at which Antonio Fernández-Isern, the Resident Commissioner of Puerto Rico; John W. Hanes, Jr., U.S. Co-Chairman, Caribbean Commission; and Abram Chayes, Legal Adviser, Department of State, all supported the joint resolution.

On June 21, the committee considered the matter further. In the meantime, a companion resolution, House Joint Resolution 384, had passed the House on May 15; and accordingly, it is the House resolution which the committee agreed to report to the Senate.

CONCLUSION

The committee regards the formation of the Caribbean Organization as a logical progression in the growth of self-government among the dependent territories of the area since World War II. In this period, for example, Puerto Rico has become a Commonwealth; Surinam and the Netherlands Antilles are self-governing within the Kingdom of the Netherlands; French Guiana, Guade-

loupe, and Martinique have become Departments of France; and the West Indies are self-governing and scheduled for independence next May.

The Caribbean Commission has provided a useful mechanism for regional consultation and economic research as well as for modest amounts of technical assistance. Residents of the area have played an increasing role in the work of the Commission, and it seems to the committee appropriate that this role now be formalized and carried a step further through disbanding the Commission and replacing it with the Organization.

This will give the islands involved additional responsibility (which, in the committee's judgment, they are well qualified to assume), but it will not alter constitutional relationships.

In the opinion of the Legal Adviser of the Department of State, in which the committee concurs, the Caribbean Organization does not fall within the prohibition of article I, section 10 of the Constitution to the effect that "No State shall enter into any Treaty Alliance or Confederation." The same section provides that "No State shall, without the Consent of Congress * * * enter into any Agreement or Compact with another State, or with a foreign Power * * *." Further, article IV, section 3, of the Constitution provides that, "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States."

The Caribbean Organization is not a "treaty, alliance, or confederation," but rather an "agreement or compact," and approval of participation by Puerto Rico and the Virgin Islands is a legitimate exercise of the Congressional power to "make all needful Rules and Regulations respecting the Territory * * * belonging to the United States." It should also be emphasized that the Organization is to be purely advisory and that the United States can withdraw from the agreement at any time on a year's notice, thereby automatically terminating the membership of Puerto Rico and the Virgin Islands.

For the reasons set forth above, the committee recommends that the Senate give its approval to House Joint Resolution 384.

THE PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the joint resolution.

The joint resolution (H.J. Res. 384) was ordered to a third reading, was read the third time, and passed.

RED CHINA AND THE UNITED NATIONS

MR. CAPEHART. Mr. President, as a member of the Committee on Foreign Relations it is my personal judgment that very, very strenuous efforts will be made to bring the Red Chinese into the United Nations. This body—and every individual Senator—should be giving serious thought to this problem. I am one who believes that we in the Congress—particularly we in the Senate, who have to act on treaties—should meet the problem head on.

FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1961

The Senate resumed the consideration of the bill (S. 120) to amend the Federal Water Pollution Control Act to provide

87TH CONGRESS
1ST SESSION

S. 614

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 1961

Referred to the Committee on Banking and Currency

AN ACT

To authorize the use of Commodity Credit Corporation owned surplus grain by the States for emergency use in the feeding of resident game birds and other resident wildlife; to authorize the use of such surplus grain by the Secretary of the Interior for emergency use in the feeding of migratory birds, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That for the purpose of meeting emergency situations caused
4 by adverse weather conditions or other factors destructive
5 of important wildlife resources, the States are hereby author-
6 ized, upon the request of the State fish and game authority or
7 other State agency having similar authority and a finding by

1 the Secretary of the Interior that any area of the United
2 States is threatened with serious damage or loss to resident
3 game birds and other resident wildlife from starvation, to
4 requisition from the Commodity Credit Corporation grain
5 acquired by the Corporation through price support opera-
6 tions. Such grain may thereafter be furnished to the particu-
7 lar State for direct and sole utilization by the appropriate
8 State agencies for purposes of this Act in such quantities as
9 mutually agreed upon by the State and the Commodity
10 Credit Corporation and subject to such regulations as may
11 be considered desirable by the Corporation. The Corpora-
12 tion shall be reimbursed by the particular State in each in-
13 stance for the expense of the Corporation in packaging and
14 transporting such grain for purposes of this Act.

15 SEC. 2. Upon a finding by the Secretary of the Interior
16 that migratory birds are threatened with starvation in any
17 area of the United States, the Secretary is authorized to
18 requisition from the Commodity Credit Corporation grain
19 acquired by that Corporation through price support opera-
20 tions in such quantities as may be mutually agreed upon.
21 The Corporation shall be reimbursed by the Secretary for its
22 expense in packaging and transporting of such grain for
23 purposes of this Act.

24 SEC. 3. There are hereby authorized to be appropriated

- 1 such sums as may be necessary to reimburse the Commodity
- 2 Credit Corporation for its investment in grain transferred
- 3 pursuant to this Act.

Passed the Senate June 22, 1961.

Attest:

FELTON M. JOHNSTON,

Secretary.

AN ACT

To authorize the use of Commodity Credit Corporation owned surplus grain by the States for emergency use in the feeding of resident game birds and other resident wildlife; to authorize the use of such surplus grain by the Secretary of the Interior for emergency use in the feeding of migratory birds, and for other purposes.

JUNE 26, 1961

Referred to the Committee on Banking and Currency

Digest of CONGRESSIONAL PROCEEDINGS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE
(For information only;
should not be quoted
or cited)

CONTENTS

Issued July 21, 1961
For actions of July 20, 1961
87th-1st, No. 122

| | |
|---------------------------|------------|
| Adjournment..... | 9, 20 |
| Appropriations..... | 3, 5, 11 |
| CCC appraisals..... | 3 |
| Cheese imports..... | 23 |
| Civil defense..... | 18 |
| Committees..... | 8 |
| Conservation reserve..... | 1 |
| Education..... | 28 |
| Electrification..... | 24 |
| Ethics..... | 7 |
| Farm labor..... | 31 |
| Farm program..... | 1, 10, 19 |
| Foreign aid..... | 12, 19, 21 |
| Foreign trade..... | 29 |
| Forestry..... | 13 |
| 4-H Clubs..... | 16 |
| Grants-in-aid..... | 26 |
| Legislative program..... | 19 |
| Livestock and poultry... | 13 |
| National parkways..... | 27 |
| Nomination..... | 14 |
| Personnel..... | 6 |
| Recreation..... | 27 |
| Research..... | 15, 32 |
| Small business..... | 30 |
| Surplus commodities..... | 29 |
| Surplus grain..... | 2 |
| Textile imports..... | 25 |
| Transportation..... | 17 |
| Water pollution..... | 33 |
| Water resources..... | 4, 22 |
| Wildlife..... | 2 |

HIGHLIGHTS: House committee voted to report farm bill and bill to permit removal of hay on conservation reserve acreage adjacent to disaster areas. Committee received permission to report these bills this weekend. House agreed to conference report on general Government - Commerce appropriation bill. Sen. Proxmire submitte amendment to farm bill to provide individual producer milk allotments in local areas. Senate passed legislative branch appropriation bill.

HOUSE

1. FARM PROGRAM. The Agriculture Committee voted to report (but did not actually report) with amendments H. R. 8230, the omnibus farm bill, and S. 2197, to authorize the Secretary of Agriculture to permit the removal of hay from, or grazing on, conservation reserve lands adjacent to or near disaster areas (pp. D596-7). The Committee was granted until midnight Sat., July 22, to file reports on these bills (p. 12163).
2. SURPLUS GRAIN. The Banking and Currency Committee reported without amendment S. 614, to permit the States in emergency situations to obtain grain from CCC to prevent starvation of resident game birds and other resident wildlife (H. Rept. 746). p. 12184
3. CCC APPRAISALS. The Banking and Currency Committee reported without amendment S. 763, to authorize annual appropriations to reimburse CCC for net realized losses sustained during any fiscal year in lieu of annual appropriations to restore capital impairment based on annual Treasury appraisals. The bill provides for the amount of net gain or loss realized by CCC to be determined from the Corporation's financial statements as of the end of each fiscal year instead of requiring the Secretary of the Treasury to make an annual independent appraisal of the Corporation's assets and liabilities for the purpose of determining the net worth of the Corporation. (H. Rept. 751). p. 12184

4. WATER RESOURCES. The Rules Committee reported a rule for the consideration of H. R. 30, granting the consent and approval of Congress to the Northeastern Water and Related Land Resources Compact. pp. 12122, 12184
5. APPROPRIATIONS. Agreed to the conference report on H. R. 7577, the general Government matters-Commerce appropriation bill for 1962, and acted on amendments in disagreement (pp. 12135-9). See Digest 121 for items of interest. The Appropriations Committee was granted until midnight Fri., July 21, to file a report on the military construction appropriation bill for 1962. p. 12122
6. PERSONNEL. Subcommittee No. 2 of the Judiciary Committee voted to report to the full committee with amendments H. R. 4131, to authorize the waiver of collection of certain erroneous payments made by the Federal Government to certain civilian and military personnel. p. D597
7. ETHICS. The Judiciary Committee reported with amendments H. R. 8140, to strengthen the criminal laws relating to bribery, graft, and conflicts of interest (H. Rept. 748). p. 12184
8. COMMITTEES. Received reports of the House committees on salaries and expenses of the committees for the 6-months period ending June 30, 1961. pp. 12178-84
9. ADJOURNED until Mon., July 24. pp. 12153, 12178

SENATE

10. FARM PROGRAM. Sen. Proxmire submitted an amendment intended to be proposed to S. 1643, the omnibus farm bill, which would amend the Agricultural Marketing Agreement Act of 1937 so as to provide for individual producer milk allotments in local and regional marketing areas. He stated that the proposed amendment "would permit dairy farmers to adopt milk sales allotments for individual dairy farms which would enable them to manage total marketing of milk from each such farm in line with their sales of fluid milk." pp. 12034-5
Sen. Miller inserted an article critical of the omnibus farm bill. pp. 12061-2
11. LEGISLATIVE BRANCH APPROPRIATION BILL, 1962. Passed as reported this bill, H. R. 7208 (pp. 12085-6, 12092-6). Conferees were appointed (p. 12096).
12. FOREIGN AID. The Foreign Relations Committee was granted permission to file a report during adjournment of the Senate this week-end on S. 1983, the foreign aid authorization bill. p. 12021
Sen. Humphrey discussed the importance of the foreign aid program and inserted an editorial, "Long-Term Foreign Aid," and a copy of a joint letter from Secretaries Rusk and Dillon to members of Congress "commenting on some of the more controversial sections of the foreign-aid program." pp. 12049-51
Sen. Williams, Del., inserted an article critical of the foreign aid program. p. 12091
13. THE AGRICULTURE AND FORESTRY COMMITTEE reported the following bills: p. 12022
S. 860, without amendment, to grant the Secretary of Agriculture additional authority for protection against the introduction and dissemination of disease of livestock and poultry (S. Report 582).
H. R. 2249, without amendment, to authorize the Secretary of Agriculture to convey a tract of forest land in Calif. to Trinity County (S. Rept. 580).
H. R. 2250, without amendment, to authorize the Secretary of Agriculture

EMERGENCY FEED FOR WILDLIFE

JULY 20, 1961.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. SPENCE, from the Committee on Banking and Currenney, submitted the following

R E P O R T

[To accompany S. 614]

The Committee on Banking and Currency, to whom was referred the bill (S. 614) an act to authorize the use of Commodity Credit Corporation owned surplus grains by the States for emergency use in the feeding of resident game birds and other resident wildlife; to authorize the use of such surplus grain by the Seeretary of the Interior for emergency use in the feeding of migratory birds, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

This bill, unanimously reported by your eoommittee and approved by the Seeretary of Agriculture and the Seeretary of the Interior, would authorize use of surplus grains owned by the Commodity Credit Corporation to feed wildlife in emergencies, such as severe ice and snow conditions or drought.

The first section of the bill permits the States in sueh emergency situations to obtain grain from the Commodity Credit Corporation to prevent starvation of resident game birds and other resident wildlife. Such grain would be furnished, subjeet to CCC regulations, upon the following conditions: (1) It must be requested by the State fish and game authority or other State agency with similar authority; (2) the Seeretary of the Interior must find that the area involved is threatened with serious damage or loss to resident game birds and other resident wildlife from starvation; (3) the State must requisition the grain from CCC; (4) the State and CCC must agree upon the quantities needed; and (5) CCC must be reimbursed by the State for its expenses in packaging and transporting the grain. Before reaching agreement with the State on a feeding program, CCC would be expeeted to consult with the Secretary of the Interior as to quantities of grain needed.

Section 2 of the bill grants similar authority to the Secretary of the Interior to requisition grain from CCC to feed migratory birds threatened with starvation. Since the Secretary of the Interior is responsible for the welfare of migratory birds (as opposed to resident game birds, covered by the first section), he may act under section 2 without having first received a request from the State. At the same time, your committee anticipates that the State fish and game authorities will cooperate with the Secretary of the Interior by calling to his attention cases of threatened starvation of migratory birds in their areas. It is further anticipated that the Secretary of the Interior may in certain cases work out arrangements with such authorities to utilize their services in actually dispensing grain under section 2.

Section 3 of the bill authorizes appropriations to reimburse CCC for its investment in grain transferred under the bill. The Department of Agriculture estimates that in an average year this investment cost will not exceed \$150,000, as to grain transferred under the first section. The Department of the Interior estimates that the corresponding figure for grain transferred under section 2 will be \$5,000.

A similar measure passed the House last year, and was reintroduced this year by Representative Reuss, as House Joint Resolution 232. Reports on House Joint Resolution 232 were requested from the Secretary of the Interior and the Secretary of Agriculture. The replies of the two Secretaries, reproduced below, suggested certain amendments which were incorporated in S. 614 as passed by the Senate. Measures similar to the Reuss resolution were introduced this year by Representatives Cooley, Henderson, and Wharton. Their active interest and suggestions have been most helpful to your committee in its consideration of this legislation.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 15, 1961.

Hon. BRENT SPENCE,
Chairman, Committee on Banking and Currency,
House of Representatives, Washington, D.C.

DEAR MR. SPENCE: Your committee has requested a report on House Joint Resolution 232, to authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds and other wildlife, and for other purposes.

We recommend the enactment of House Joint Resolution 232, if amended as hereafter suggested.

House Joint Resolution 232 is identical to House Joint Resolution 713 of the 86th Congress, which was passed by the House of Representatives, and upon which this Department had previously made favorable recommendations to the Congress.

This proposal would permit the States to use surplus grain to feed wildlife that is threatened by starvation. Upon a finding by the Secretary of the Interior that any area of the United States is threatened with serious damage or loss to wildlife from starvation, the particular State involved would be authorized to request from the Commodity Credit Corporation grain acquired by that Corporation through price-support operations. The State would be required to pay the cost of transportation and packaging of the grain.

We have become increasingly aware in recent years of the interest of certain State fish and game agencies and other local organizations in providing a method whereby surplus grain could be used to feed resident game birds and other wildlife that at certain times of the year may be in danger of starvation as a result of adverse weather conditions. These State agencies are particularly concerned with the welfare of resident game in time of emergencies, such as severe ice and snow conditions, or drought. They wish to provide supplemental food when natural food is considered to be in short supply.

This proposal contains a safeguard which requires the Secretary of the Interior to determine that emergency conditions exist prior to such feeding by the States. While our experience has been that there are relatively few emergency situations where local or regional game populations are in danger of starvation, authority of this kind may prove valuable in certain cases. We believe the mechanics of any grain feeding program of this kind, once a decision has been reached that such a program is warranted, should be one for the particular State fish and game department to work out, with the assistance of the Commodity Credit Corporation, along procedural lines indicated in this proposal.

We wish to emphasize that wildlife is generally well able to fend for itself in obtaining food. At times, well-meaning sportsmen's groups and individuals put out food for wildlife in the belief that they are promoting good conservation. Actually, supplemental feeding is undesirable most of the time and should be discouraged for several reasons. Feeding tends to domesticate wild animals and to make them less wary of their natural enemies. It tends to concentrate wildlife and to expose them to diseases. Feeding may alter natural migration patterns.

There are emergencies, however, when the supplemental feeding of wildlife is justified, such as when prolonged heavy snows and ice cover natural food sources. Feeding on such occasions should be accomplished by trained personnel. We believe the emergency feeding of game birds and other resident wildlife properly should be under the supervision of State fish and game departments that are responsible for the conservation of resident wildlife species.

While the terms of this proposal do not relate to migratory waterfowl or other migratory birds, we have certain observations and recommendations for amendment to the measure relating to such wildlife species. As the Secretary of the Interior is responsible for the welfare of migratory birds, we believe that any emergency feeding of migratory waterfowl or other migratory birds should be administered by the Secretary.

We now have authority, pursuant to the act of July 3, 1956 (62 Stat. 1235; 7 U.S.C. 442-445), to use surplus federally owned grain in preventing migratory waterfowl depredations on agricultural crops; however, our authority is limited to this type of emergency. We believe our authority logically should be extended to cover other emergency situations where the migratory species are threatened with starvation. This occurred in a few localities along the Atlantic coast and elsewhere in the past winter. For these reasons, we recommend the following amendments to this bill:

(1) Amend the title to read: "To authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds

and other resident wildlife; to authorize the use of surplus grain by the Secretary of the Interior for emergency use in the feeding of migratory birds, and for other purposes."

(2) Page 1, line 8, after the word "other" insert the word "resident".

(3) Page 2, insert a new section 2 as follows, and renumber the present section 2 as section 3:

"SEC. 2. Upon a finding by the Secretary of the Interior that migratory birds are threatened with starvation in any area of the United States, the Secretary is authorized to requisition from the Commodity Credit Corporation grain acquired by that corporation through price support operations in such quantities as may be mutually agreed upon. The corporation shall be reimbursed by the Secretary for its expense in packaging and transporting such grain for the purposes of this Act."

These views are of equal applicability to House Joint Resolution 193, House Joint Resolution 203, and H.R. 7275.

We have been advised by the Bureau of the Budget that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

FRANK P. BRIGGS,
Assistant Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., June 9, 1961.

Hon. BRENT SPENCE,
*Chairman, Committee on Banking and Currency,
House of Representatives.*

DEAR CONGRESSMAN SPENCE: This is in reply to your letter of February 25, 1961, requesting a report on House Joint Resolution 232, a joint resolution to authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds and other wildlife, and for other purposes.

The Department recommends that the bill be passed with the request that consideration be given to amending the title to insert the words "Commodity Credit Corporation owned" between the fifth and sixth words of the title.

The resolution authorizes the States, upon a finding by the Secretary of the Interior that any area of the United States is threatened with serious damage or loss to resident game birds and other wildlife from starvation, to requisition CCC-owned grain for the feeding of such wildlife. We favor the passage of this legislation because we consider the conservation of our wildlife resources as an integral part of our national program to conserve our soil, water, and forest resources.

During the past two winters numerous requests were received by the Department from States to provide grain for the emergency feeding of resident game birds and other wildlife which was threatened by starvation because of the severe weather in certain areas of the United States. The Department was unable to honor such requests because it currently has no authority under which it may donate CCC grain for the emergency feeding of wildlife, except under Public Law 654, 84th Congress (70 Stat. 492; 7 U.S.C. 442-446), which authorizes

the Secretary of the Interior to requisition CCC grain for the feeding of migratory waterfowl to prevent crop depredations.

The Department on occasion acquires small quantities of marketing quota penalty grain under provisions of Public Law 74, 77th Congress, as amended (7 U.S.C. 1340), which can be made available for emergency feeding of resident game birds and other wildlife; however, there is no assurance that such grain will be available at the location, time, and in such quantity, as may be required by the States.

Though no precise estimate can be given on the investment cost of CCC-owned grain which may be donated to carry out the purposes of this resolution, it is anticipated that in an average year it will not exceed \$150,000.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE FREEMAN, *Secretary.*

DEPARTMENT OF AGRICULTURE,
Washington, D.C., July 14, 1961.

Hon. BRENT SPENCE,
*Chairman, Committee on Banking and Currency,
House of Representatives, Washington, D.C.*

DEAR CONGRESSMAN SPENCE: Subsequent to the submission of our report on House Joint Resolution 232, to authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds and other wildlife, and for other purposes, on which we favorably reported, it has come to our attention that the Department of the Interior in its report dated June 15, 1961 recommended that the joint resolution be amended to include migratory waterfowl. In view of the fact that migratory waterfowl may be in residence in an area in which adverse weather threatens all wildlife, we support the amendments as proposed by the Department of the Interior to House Joint Resolution 232.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE FREEMAN, *Secretary.*



87TH CONGRESS
1ST SESSION

Union Calendar No. 287

S. 614

[Report No. 746]

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 1961

Referred to the Committee on Banking and Currency

JULY 20, 1961

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

AN ACT

To authorize the use of Commodity Credit Corporation owned surplus grain by the States for emergency use in the feeding of resident game birds and other resident wildlife; to authorize the use of such surplus grain by the Secretary of the Interior for emergency use in the feeding of migratory birds, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That for the purpose of meeting emergency situations caused
- 4 by adverse weather conditions or other factors destructive
- 5 of important wildlife resources, the States are hereby author-
- 6 ized, upon the request of the State fish and game authority or
- 7 other State agency having similar authority and a finding by

1 the Secretary of the Interior that any area of the United
2 States is threatened with serious damage or loss to resident
3 game birds and other resident wildlife from starvation, to
4 requisition from the Commodity Credit Corporation grain
5 acquired by the Corporation through price support opera-
6 tions. Such grain may thereafter be furnished to the particu-
7 lar State for direct and sole utilization by the appropriate
8 State agencies for purposes of this Act in such quantities as
9 mutually agreed upon by the State and the Commodity
10 Credit Corporation and subject to such regulations as may
11 be considered desirable by the Corporation. The Corpora-
12 tion shall be reimbursed by the particular State in each in-
13 stance for the expense of the Corporation in packaging and
14 transporting such grain for purposes of this Act.

15 SEC. 2. Upon a finding by the Secretary of the Interior
16 that migratory birds are threatened with starvation in any
17 area of the United States, the Secretary is authorized to
18 requisition from the Commodity Credit Corporation grain
19 acquired by that Corporation through price support opera-
20 tions in such quantities as may be mutually agreed upon.
21 The Corporation shall be reimbursed by the Secretary for its
22 expense in packaging and transporting of such grain for
23 purposes of this Act.

24 SEC. 3. There are hereby authorized to be appropriated

- 1 such sums as may be necessary to reimburse the Commodity
- 2 Credit Corporation for its investment in grain transferred
- 3 pursuant to this Act.

Passed the Senate June 22, 1961.

Attest:

FELTON M. JOHNSTON,

Secretary.

87TH CONGRESS
1ST SESSION

S. 614

[Report No. 746]

AN ACT

To authorize the use of Commodity Credit Corporation owned surplus grain by the States for emergency use in the feeding of resident game birds and other resident wild-life; to authorize the use of such surplus grain by the Secretary of the Interior for emergency use in the feeding of migratory birds, and for other purposes.

JUNE 26, 1961

Referred to the Committee on Banking and Currency

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Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE
(For information only;
should not be quoted
or cited)

Issued August 8, 1961
For actions of August 7, 1961
87th-1st, No. 134

CONTENTS

| | |
|-------------------------|----------|
| Appropriations..... | 5,16 |
| Audit report..... | 20 |
| CCC appraisals..... | 3 |
| Civil defense..... | 23 |
| Common Market..... | 14 |
| Conservation..... | 15,18 |
| Disaster relief..... | 40 |
| Durum wheat..... | 12 |
| Ethics..... | 9,34 |
| Expenditures..... | 26 |
| Farm lands..... | 32 |
| Farm program..... | 39 |
| Foreign aid..... | 10,19,28 |
| Forestry..... | 13,17,36 |
| Grants-in-aid..... | 35 |
| Lands..... | 6,32,38 |
| Libraries..... | 8 |
| Livestock feed..... | 40 |
| Manpower resources..... | 24 |
| National flower..... | 29 |
| Natural resources.... | 15,27 |

| | | | |
|------------------------|-------|---------------------|-------|
| Peace Corps..... | 31 | Supplies..... | 20 |
| Peanuts..... | 2 | Surplus grain..... | 4 |
| Personnel..... | 9,11 | Tobacco..... | 1 |
| Pesticides..... | 30 | Transportation..... | 22 |
| Postal rates..... | 21 | Virgin Islands..... | 7 |
| Property..... | 20,25 | Wetlands..... | 33 |
| Research..... | 17,36 | Wheat..... | 12 |
| Soil conservation..... | 33 | Wildlife..... | 4 |
| Sugar..... | 37 | Youth Corps..... | 15,18 |

HIGHLIGHTS: House passed bills to: Provide for lease and transfer of tobacco acreage allotments. Authorize use of CCC surplus grain for feeding wildlife. Authorize annual appropriations to reimburse CCC for net realized losses. House committee reported (Aug. 4) foreign aid authorization bill. House subcommittee voted to report bill to continue exemption of durum wheat in Tulelake area, Calif., from allotments and quotas. Both Houses agreed to conference report on independent offices appropriation bill. Sen. Bartlett urged additional funds for forest research. Rep. McIntire introduced and discussed forestry research program bill. President approved farm bill today, Aug. 8.

HOUSE

1. TOBACCO. Passed as reported H. R. 1022, to provide for lease and transfer of tobacco acreage allotments. This bill includes the following limitations:
(1) Both farmers involved must be in the same county and the lease must be filed with, and approved by, the county committee. (2) If the normal yield for the farm to which the allotment is being transferred exceeds the normal yield of the farm from which the transfer is being made by more than 10 percent, the transferred allotment will be adjusted downward in the same ratio as the difference in yields. (3) Not more than 5 acres of allotment may be leased and transferred to any farm. (4) Only farms already having tobacco allotments for the same kind of tobacco are eligible to lease allotments. (5) The acreage is considered as having been produced on the farm from which the allotment is transferred for purposes of future allotments and referendum voting rights.
pp. 13719-20

2. PEANUTS. Passed as reported H. R. 1021, to extend for 2 years the definition of "peanuts" which is now in effect under the Agricultural Adjustment Act of 1938 so as to exclude from acreage allotments and marketing quotas any peanuts produced and marketed for consumption as boiled peanuts. p. 13706
3. CCC APPRAISALS. Passed without amendment S. 763, to authorize annual appropriations to reimburse CCC for net realized losses sustained during any fiscal year in lieu of annual appropriations to restore capital impairment based on annual Treasury appraisals, and to provide for the amount of net gain or loss realized by CCC to be determined from the Corporation's financial statement as of the end of each fiscal year instead of requiring the Secretary of the Treasury to make an annual independent appraisal of the Corporation's assets and liabilities for the purpose of determining the net worth of the Corporation. This bill will now be sent to the President. p. 13721
4. SURPLUS GRAIN; WILDLIFE. Passed without amendment S. 614, to authorize the use of Commodity Credit Corporation owned surplus grains by the States for emergency use in the feeding of resident game birds and other resident wildlife. This bill will now be sent to the President. p. 13710
5. APPROPRIATIONS. Conferees were appointed on H. R. 7851, the Defense Department appropriation bill. Senate conferees have already been appointed. p. 13694
6. PUBLIC LANDS. Passed as reported H. R. 2925, to amend the act of March 8, 1922, so as to permit the sales of certain isolated tracts of public lands in Alaska. p. 13711
7. VIRGIN ISLANDS. Passed without amendment H. R. 7666, pertaining to the salary of the government comptroller of the Virgin Islands. p. 13707
8. LIBRARIES. At the request of Rep. Pelly, passed over without prejudice H. R. 8141, to revise the laws relating to depository libraries. p. 13716
9. ETHICS. Passed as reported H. R. 8140, to strengthen the criminal laws relating to bribery, graft, and conflicts of interest. pp. 13737-45
10. FOREIGN AID. The Foreign Affairs Committee reported without amendment (on Aug. 4) H. R. 8400, the foreign aid authorization bill (H. Rept. 851). p. 13772
Rep. Brademas inserted a letter signed by 30 representatives supporting H. R. 8400, the foreign aid authorization bill. p. 13749
11. PERSONNEL. The Post Office and Civil Service Committee reported without amendment H. R. 7021, to revise legislation authorizing Government agencies to provide quarters, household furniture and equipment, utilities, subsistence, and laundry service to civilian officers and employees of the U. S. (H. Rept. 856), and H. R. 1010, to provide for at least a two-step increase when an employee is promoted from one grade to another (H. Rept. 859). p. 13772
12. WHEAT. The Subcommittee on Wheat of the Agriculture Committee voted to report to the full committee with amendments S. 1107, to provide for an extension of the existing provision for a minimum durum wheat acreage allotment in the Tulelake area of California. p. D673
- FORESTRY. The Interstate and Foreign Commerce Committee submitted a report, "World Newsprint Supply--Demand Outlook Through 1963" (H. Rept. 854). p. 13772

lend certain Army, Navy, and Air Force equipment and provide certain services to the Girl Scouts of the United States of America for use at the 1962 Girl Scouts senior roundup encampment, and for other purposes.

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Defense is hereby authorized, under such regulations as he may prescribe, to lend to the Girl Scouts of the United States of America, a corporation created under the Act of March 16, 1950, for the use and accommodation of approximately ten thousand Girl Scouts and officials who are to attend the Girl Scouts senior roundup encampment to be held in July 1962, at Button Bay State Park, Vermont, such tents, cots, blankets, commissary equipment, flags, refrigerators, vehicles, and other equipment as may be necessary or useful to the extent that items are in stock and available and their issue will not jeopardize the national defense program.

(b) Such equipment is authorized to be delivered at such time prior to the holding of such encampment, and to be returned at such time after the close of such encampment, as may be agreed upon by the Secretary of Defense and the Girl Scouts of the United States of America. No expense shall be incurred by the United States Government for the delivery and return of such equipment and the Girl Scouts of the United States of America shall pay for the cost of the actual rehabilitation and repair or replacement of such equipment.

(c) The Secretary of Defense, before delivering such property, shall take from the Girl Scouts of the United States of America a good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States.

Sec. 2. The Secretary of Defense is hereby authorized, under such regulations as he may prescribe, to provide to the Girl Scouts of the United States of America, in support of the encampment referred to in subsection (a) of the first section of this Act, such communication, medical, engineering, protective, and other logistical services as may be necessary or useful to the extent that such services are available and the providing of them will not jeopardize the national defense program.

Sec. 3. Each department of the Federal Government is hereby authorized under such regulations as may be prescribed by the Secretary thereof to assist the Girl Scouts of the United States of America in the carrying out and the fulfillment of the plans for the encampment referred to in subsection (a) of the first section of this Act.

(Mr. STAFFORD asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. STAFFORD. Mr. Speaker, I am most gratified that the House has passed H.R. 5228 authorizing the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Girl Scouts of the United States for use at their 1962 roundup encampment at Button Bay, Vt.

It was my privilege, while serving as Governor of Vermont, to extend the State's invitation to the Girl Scouts to hold their 1962 roundup in our State and to learn of their acceptance of it.

All Vermont looks forward to their coming.

Our people appreciate the great value which the Girl Scout movement possesses in terms of developing the type of future citizens, mothers and civil leaders upon which this Nation's existence depends in the years ahead.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMITTING MEMBERS OF ARMED FORCES TO ACCEPT FELLOWSHIPS, SCHOLARSHIPS, OR GRANTS

The Clerk called the bill (H.R. 7727) to amend title 10, United States Code, to permit members of the Armed Forces to accept fellowships, scholarships, or grants.

Mr. GROSS. Mr. Speaker, reserving the right to object, I would appreciate a brief explanation of what is being done in this bill.

Mr. PHILBIN. I shall be very happy, Mr. Speaker, to explain to the distinguished gentleman.

This bill is designed to do two things: First. To provide a legal basis for a practice which has actually been concurred in by the Congress for many years.

Second. To remove an inequity in existing law.

Briefly, the situation is this: Existing law prohibits a Government official or employee from receiving any salary in connection with his services from any source other than the Government of the United States.

However, the Government Employees Training Act provides an exception to existing law for civilian officers and employees of the Government, including officers of the Coast and Geodetic Survey to accept contributions and awards incident to training in non-Government facilities.

So, we have the anomaly of one group of Government employees being permitted to accept scholarships, fellowships, and grants while another group is prohibited from accepting fellowships, scholarships, and grants.

It will be noted that the bill requires that a scholarship, grant, or fellowship may be accepted by a military officer first, in recognition of outstanding performances in his field; second, to undertake a project that may be of value to the United States; or third, for development of his recognized potential for future career service.

It is clear from the foregoing that the United States is benefited by this additional education and the Armed Services Committee can see no reason why military officers should be excluded from the benefits which are available to other employees of the Government.

In brief, then, all the bill will do is to permit the acceptance of these benefits by our military officers.

This bill was reported unanimously by the Armed Services Committee.

Mr. GROSS. A graduate of West Point by the name of Pete Dawkins, a football star, has been for 2 years al-

legedly studying at Oxford University in London. He has never served a day in the military service since he was graduated from the Academy, but has been playing cricket and said to be studying at Oxford University. Only recently his period of study was extended for another year. Apparently it will be 3 years before this Dawkins gives anything in the way of military service to his country. Is this bill designed to encourage that sort of thing?

Mr. PHILBIN. I remember Mr. Dawkins, and obviously he is going to Oxford to improve his potentials, so far as military service is concerned.

Mr. GROSS. Are the British teaching him military tactics? Is he getting anything in the way of military science at Oxford?

Mr. PHILBIN. I am not familiar with the course Mr. Dawkins is taking there, but I would suggest that it is designed to improve and increase his potential as a member of the armed services.

Mr. GROSS. I may say to the gentleman that under the circumstances I think this Pete Dawkins would be doing this country and the taxpayers a far greater service if he had been in training at the infantry school at Fort Benning along with the officers who came out of West Point 2 years ago. It appears that it will be 3 years before this man ever serves a day in the service for which he was educated. I do not like that. If this bill is for the purpose of encouraging that sort of thing or for the purpose of taking care of the extension of this man's education at Oxford University, I am opposed to it.

Mr. PHILBIN. All of the officers of the military would be authorized to accept fellowships and grants. They are now barred from this privilege. All this bill does is to make it possible for them to avail themselves of grants and fellowships that are available for their higher and further education to increase their potentials as members of the armed services.

Mr. GROSS. By going to Oxford University they are going to be of little help to us at a time when the military is increasing its numbers.

Mr. PHILBIN. I feel certain that these courses are designed to promote their broader military education. I am fully convinced of that fact.

Mr. GROSS. I never heard of Oxford University teaching military science. I thought that was taught at Aldershot or some such place in England. I never heard of Oxford University having any courses in military science.

Mr. PHILBIN. I would not want to say what the curriculum is at Oxford because I could not discuss that with the gentleman. But I do think the courses these officers take at Oxford will be in the interest of the Government and the Nation. There are all kinds of courses given at Oxford, of course, and these courses are in the interest of improving the general education, and perhaps the specialized training of those who attend.

Mr. GROSS. Mr. Speaker, I would like to take another look at this bill; therefore I ask unanimous consent that it be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AUTHORIZING THE SECRETARY OF A MILITARY DEPARTMENT TO SELL GOODS AND SERVICES TO AIRCRAFT OWNERS

The Clerk called the bill (H.R. 7728) to amend title 10, United States Code, to authorize the Secretary of a military department to sell goods and services to the owner of an aircraft or his agent in an emergency, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SISK. Mr. Speaker, since this bill is calendared to be called up under suspension of the rules, I ask unanimous consent that the bill be passed over without prejudice?

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

RETROCEDE LEGISLATIVE JURISDICTION OVER FORT SHERIDAN

The Clerk called the bill (H.R. 7721) to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within the Fort Sheridan Military Reservation, Ill.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, the Secretary of the Army may, at such times as he may deem desirable, relinquish to the State of Illinois all, or such portion as he may deem desirable for relinquishment, of the jurisdiction heretofore acquired by the United States over any lands within the Fort Sheridan Military Reservation, Illinois, reserving to the United States such concurrent or partial jurisdiction as he may deem necessary. Relinquishment of jurisdiction under the authority of this Act may be made by filing with the Governor of the State of Illinois a notice of such relinquishment, which shall take effect upon acceptance thereof by the State of Illinois in such manner as its laws may prescribe.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EMERGENCY FEED FOR WILDLIFE

The Clerk called the bill (S. 614) to authorize the use of Commodity Credit Corporation owned surplus grain by the States for emergency use in the feeding of resident game birds and other resident wildlife; to authorize the use of such surplus grain by the Secretary of the Interior for emergency use in the feeding of migratory birds, and for other purposes.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of meeting emergency situations caused by adverse weather conditions or other factors destructive of important wildlife resources, the States are hereby authorized, upon the request of the State fish and game authority or other State agency having similar authority and a finding by the Secretary of the Interior that any area of the United States is threatened with serious damage or loss to resident game birds and other resident wildlife from starvation, to requisition from the Commodity Credit Corporation grain acquired by the Corporation through price support operations. Such grain may thereafter be furnished to the particular State for direct and sole utilization by the appropriate State agencies for purposes of this Act in such quantities as mutually agreed upon by the State and the Commodity Credit Corporation and subject to such regulations as may be considered desirable by the Corporation. The Corporation shall be reimbursed by the particular State in each instance for the expense of the Corporation in packaging and transporting such grain for purposes of this Act.

SEC. 2. Upon a finding by the Secretary of the Interior that migratory birds are threatened with starvation in any area of the United States, the Secretary is authorized to requisition from the Commodity Credit Corporation grain acquired by that Corporation through price support operations in such quantities as may be mutually agreed upon. The Corporation shall be reimbursed by the Secretary for its expense in packaging and transporting of such grain for purposes of this Act.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to reimburse the Commodity Credit Corporation for its investment in grain transferred pursuant to this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RULES OF PRACTICE AND PROCEDURE UNDER BANKRUPTCY ACT

The Clerk called the bill (H.R. 7405) to provide for the promulgation of rules of practice and procedure under the Bankruptcy Act, and for other purposes.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 28 of the United States Code is amended by inserting in chapter 131 thereof immediately following section 2074 of that chapter a new section reading as follows:

"§ 2075. Bankruptcy rules

"The Supreme Court shall have the power to prescribe by general rules, the forms of process, writs, pleadings, and motions, and the practice and procedure under the Bankruptcy Act.

"Such rules shall not abridge, enlarge, or modify any substantive right.

"Such rules shall not take effect until they have been reported to Congress by the Chief Justice at or after the beginning of a regular session thereof but not later than the first day of May and until the expiration of ninety days after they have been thus reported.

"All laws in conflict with such rules shall be of no further force or effect after such rules have taken effect."

SEC. 2. The analysis of chapter 131 of title 28 of the United States Code, immediately preceding section 2071 of that chapter, is amended by inserting therein immediately after item 2074 thereof a new item reading as follows:

"2075. Bankruptcy rules."

SEC. 3. Section 30 of the Bankruptcy Act is repealed but its repeal shall not operate to invalidate or repeal rules, forms, or orders prescribed under the authority of that section by the Supreme Court prior to the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WAPATO INDIAN IRRIGATION PROJECT, WASHINGTON

The Clerk called the bill (H.R. 115) for the allocation of costs on the Wapato-Satus unit of the Wapato Indian irrigation project.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall (a) designate within one year from the date of this Act the lands that are capable of being served by the irrigation works that have already been constructed on the Wapato-Satus unit of the Wapato Indian irrigation project, (b) determine the final construction costs of such works, (c) allocate the costs on a per acre basis to the land capable of being served, (d) assess the costs so allocated to land in non-Indian ownership, and (e) defer the assessment of the costs so allocated to land in Indian ownership in accordance with the Act of July 1, 1932 (47 Stat. 564).

SEC. 2. The Secretary of the Interior is authorized to install trash racks at the Yakima River diversion headworks of the Wapato-Satus unit, and the cost thereof shall be allocated and either assessed or deferred in accordance with the provisions of section 1 of this Act.

SEC. 3. The Secretary of the Interior is authorized (a) to designate additional lands that could be served by the Wapato-Satus unit if additional works were constructed, and (b) to construct such additional works: Provided, That no land in non-Indian ownership shall be included until an agreement satisfactory to the Secretary has been reached with the owner thereof for payment of the construction cost.

SEC. 4. If the Secretary of the Interior determines that an operation and maintenance assessment for the repair or replacement of any irrigation works that have been or may be constructed on the Wapato-Satus unit exceeds the amount that should reasonably be paid in one year, he may provide for payment over such period of time as he deems reasonable.

SEC. 5. The proportionate share of the cost incurred under sections 2 and 3 of this Act that is allocated to land in Indian ownership shall be added to the deferred construction charges determined under section 1 of this Act, and the total amount shall be assessed on a per acre basis when the deferment is terminated.

SEC. 6. The Secretary of the Interior is authorized to redesignate from time to time the lands that are capable of being served by the irrigation works of the Wapato-Satus unit. Any Indian or non-Indian land that is removed from the project by such redesignation shall bear its proportionate share of the construction costs, either deferred or assessed, and its proportionate share of the operation and maintenance costs to the date

Public Law 87-152
87th Congress, S. 614
August 17, 1961



An Act

75 STAT. 389.

To authorize the use of Commodity Credit Corporation owned surplus grain by the States for emergency use in the feeding of resident game birds and other resident wildlife; to authorize the use of such surplus grain by the Secretary of the Interior for emergency use in the feeding of migratory birds, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of meeting emergency situations caused by adverse weather conditions or other factors destructive of important wildlife resources, the States are hereby authorized, upon the request of the State fish and game authority or other State agency having similar authority and a finding by the Secretary of the Interior that any area of the United States is threatened with serious damage or loss to resident game birds and other resident wildlife from starvation, to requisition from the Commodity Credit Corporation grain acquired by the Corporation through price support operations. Such grain may thereafter be furnished to the particular State for direct and sole utilization by the appropriate State agencies for purposes of this Act in such quantities as mutually agreed upon by the State and the Commodity Credit Corporation and subject to such regulations as may be considered desirable by the Corporation. The Corporation shall be reimbursed by the particular State in each instance for the expense of the Corporation in packaging and transporting such grain for purposes of this Act.

Agriculture.
Surplus grain
for game
birds, etc.

SEC. 2. Upon a finding by the Secretary of the Interior that migratory birds are threatened with starvation in any area of the United States, the Secretary is authorized to requisition from the Commodity Credit Corporation grain acquired by that Corporation through price support operations in such quantities as may be mutually agreed upon. The Corporation shall be reimbursed by the Secretary for its expense in packaging and transporting of such grain for purposes of this Act.

Migratory
birds.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to reimburse the Commodity Credit Corporation for its investment in grain transferred pursuant to this Act.

Appropriation.

Approved August 17, 1961.

